

Issue #4
December 1, 2001

Community

Action

Notes



INFORMATION
AND
RESOURCES
AGAINST
WAR
AND
RACISM

Who we are:



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COMMUNITY ACTION NOTES

information & resources against war and racism

Community Action Notes is intended to be a resource for community networking, outreach and information-sharing around organizing related to the events of September 11th and their aftermath.

Please send us information about events, meetings, & demos for upcoming issues. Longer articles or analysis are also welcome.

Brought to you by
the heads up collective

To get involved or to contribute information, please email:

headsup@tao.ca

Feel free to photocopy and distribute.

resources

HATE CRIME HOTLINE

Have you been assaulted or threatened because you are of South Asian origin?

Report it:

- Call (416) 979-8611 CASSA Hate Hotline
- 911 Emergency
- Metro Toronto Police (416) 808-2222 (non emergency)

Council of Agencies Serving South Asians (CASSA)



HATE CRIME PROJECT -- SAY NO TO HATE

Are you a South Asian youth 15-25? Interested in writing, research, video and web design? Or in issues of racism and hate crime? Experience the power of video, explore a database or join a network. Develop an interactive web site for youth. Ever been the victim of a hate crime or know someone who has? Want to do something about racism and hate crime? Want to learn skills FREE?

Fight race-based hate with others. It is your chance to be heard! Say "NO" to hate this Fall! Contact Us:

Email: Ahmad at ahmad@spectranet.ca

Phone: Lalita at (905) 567-8611

Phone: Soni at (416) 979-8611

Email: Soni at soni@cassa.on.ca

Check us out on the web: <http://www.cassa.on.ca/SayNotoHate.html>

Meetings for this group are held:

*TIME: Fridays at 3:30 LOCATION: CASSA, 2 Carlton, SUITE 1004
On the corner of College and Yonge Street*

events

Keep your eyes open for a ...

war and law youth forum

December 13th, location TBA

Musical performances, dance, spoken word, MC's, photography, a collective mural and speakers.

Contact Youth Action Network for more info:

tel: (416) 368-2277

email: general@youthactionnetwork.org

Challenging The War Agenda

Wed Dec 5, 4:30-7:15pm,

Central Technical High School Auditorium,
(Bathurst and Harbord)

Speakers, questions, sharing ideas for the classroom.

RSVP if possible: 416-393-9912 or 416-393-1798



**Native Canadian Centre
—free weekly events, open to the public**

Drumming Social
Every Thursday 6-9pm

Men's Hand Drumming
Every Tuesday 6-8pm

16 Spadina Road.
(416) 964-9087



Women Opposing Wars Everywhere Women and Children's Peace March

Sunday Dec. 9th, 12:00 noon
meet @ Liberal Party H.Q.
10 St. Mary St. (at Yonge St.)
(2 bl. south of Bloor St.)

Speakers and street theatre
Dress in your protest best - bring noisemakers!

Sign language provided
TS/TG folks are welcome

URGENT: IMMIGRATION CANADA CRACKS DOWN ON SINGLE MOTHERS



Over the past week, the Ontario Coalition Against Poverty (OCAP) has been alerted to three urgent cases of imminent deportation. All three are women who have been living in Canada for a considerable number of years, working, going to school, and two of them are raising small children.

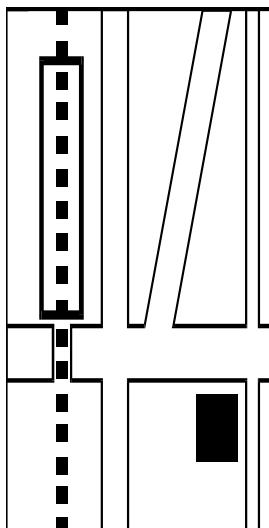
The three women all face being sent out of Canada within days, destroying lives they have built here and destroying their efforts to support their families in safety and comfort.

In this climate of 'heightened security' and suspicion, Immigration Canada continues to hunt down people who are contributing to Canadian society, who are supporting children in a community which allows them opportunity and happiness they would not have elsewhere.

In all three cases, the women have filed or are filing Humanitarian and Compassionate Claims - Immigration Canada refuses to grant them due

process and at the very least have these claims heard. Instead, they face being deported, long before an Immigration Officer can consider their situations and decide whether or not they should be allowed to continue living their lives in Canada. This process is one which Immigration Canada theoretically grants to people who have fled dangerous and difficult situations in their countries of origin.

OCAP stands with these families and asks that letters of support be written on their behalf (see instructions below). OCAP also remains firm in its commitment to challenge Immigration procedure which denies people the right to decent, safe lives. OCAP will be taking action in the immediate future on behalf of the families, and we ask that you contact us if interested in participating in this crucial action. Immigration Canada deports with expediency - we do not have time to waste in demanding fair and equal treatment of all people who are forced to flee to Canada.



TIPS FOR WRITING SUPPORT LETTERS:

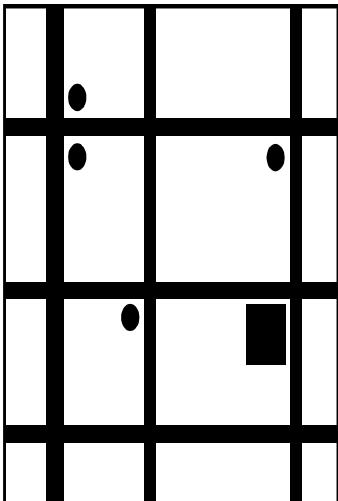
- letters should clearly state the peoples names and their immigration ID numbers (if provided)
- please express your concern about this case and urge Immigration to accept this family's application to remain in Canada on Humanitarian and Compassionate grounds
- urge Immigration not to consider enforcing a deportation order against the family before adjudicating their case
- urge Immigration to grant these people administrative stays of removal where applicable
- fax letters in to OCAP (416-925-9681) and we will deliver them en masse
- cc your letter to Elinor Caplan, Minister of Immigration (613-957-2688 fax)

Please send us your LETTERS OF SUPPORT to the fax number listed above.

Irma Joyles (ID# 2489-5795)

Irma came to Canada in 1988 as a teenager, fleeing parental abuse and poverty in St. Vincent. Having worked to build a life in Toronto, Irma is raising a two year old daughter who has frequent febrile seizures - this serious medical condition requires treatment by a specialist and easy access to emergency services. Irma is being forced to make a choice between leaving her daughter here without a mother who has been her sole and constant support, which she refuses to do, or take her child to live in a climate which exacerbates her medical condition - the seizures worsen in the heat.

Irma has paid more than \$7000 to an immigration consultant, Patrick Daley, who failed to file her Humanitarian and Compassionate Claim properly and on one occasion turned Irma in to Immigration authorities, ostensibly to cash in on a monetary reward. Irma has no criminal record, works fulltime, attends night school, and has never taken social assistance. She has family here in Canada, but is estranged from a very difficult family situation in St. Vincent. She has been here for 13 years, and has the right to have an opportunity to have her Humanitarian and Compassionate Claim heard.



Shirley-Ann Charles

Shirley-Ann has lived in Canada for 10 years, after fleeing her birth country of Grenada. She is employed caring for children, and was at her place of work last week when Immigration Canada officials hauled her into detention at the Celebrity Inn - a jail for families facing deportation.

Released on a cash bond, Shirley-Ann has 30 days to leave the country, despite her lengthy efforts to make a home for herself in Toronto. She is in the process of filing a Humanitarian and Compassionate Claim, and has the right to have this Claim

Brenda McDonald

OCAP has been working with Brenda for some months. Originally from Grenada, she has been living in Canada since July 1995. She is raising a three year old daughter with her husband, works full-time and has never committed a crime. Despite having filed a Humanitarian and Compassionate Claim, Brenda continues to be sought by Immigration Canada and faces extremely imminent deportation. This would devastate a family which has worked very hard to build a good life in Toronto.

Please write separate letters of support for these women and their families, stressing that CIC should cease any further attempts to disrupt and destroy their lives together and that there is no reason Irma, Shirley-Ann or Brenda should not be successful in their Humanitarian and Compassionate Leave application.

Do not hesitate to contact OCAP for further information.

ONTARIO COALITION AGAINST POVERTY
249 SHERBOURNE ST. TORONTO, ONTARIO M5A 2R9
PHONE (416) 925-6939 FAX (416) 925-9681



A Heads up on the Immigration and Refugee Protection Act: Bill C-11



"The bill does not live up to our **international human rights obligations**, for example under the Refugee Convention and under the Convention against Torture. Under the provisions of the bill people could be sent back to persecution or to torture, in violation of Canada's obligations. The CCR proposes that relevant international instruments, including the Convention on the Rights of the Child, be fully incorporated into the legislation."

"The bill greatly expands powers of **detention**, including giving even greater discretion to immigration officials to detain refugees and immigrants. The government has indicated that it intends to detain more people, mostly it seems in order to make themselves look tough.

The CCR recommends that powers of detention be narrowly circumscribed and subject to meaningful review."

"The bill creates a **refugee determination system** with serious flaws, denying access to a hearing to people who may be at risk of persecution (for example, people who have ever before made a refugee claim). The procedures under the proposed Pre-Removal Risk Assessment are inadequate (for example, lack of independent and qualified decision-makers and oral hearings only in exceptional circumstances). The CCR urges eliminating the eligibility stage so that all claimants are referred immediately for a hearing on their claim and transferring to the Immigration and Refugee Board the responsibility for making decisions under the Pre-Removal Risk Assessment."

"The bill fails to adequately address the problems of **refugees in limbo** (recognized refugees who wait years to get permanent residence). The CCR urges a simple solution, namely that refugees

The Government of Canada passed Bill C-11, now the *Immigration and Refugee Protection Act*, on November 1, 2001. This new legislation is scheduled to be implemented on June 28, 2002. Canadians will be able to express their views on draft regulations during the pre-publication period, which is expected to begin in December 2001. At this time NGO's will be given the opportunity to review the regulations and comment before they go into effect.

Although the bill is now passed (and was passed with little consultation within communities either affected by the bill or those advocating against many of its provisions), we at the heads up collective feel that it is important to keep talking about this bill and offering the same weight of resistance to it that has been applied to Bill C-36 (*Anti-terrorism Act*). Bill C-11 was tabled on February 21, 2001, and is actually a revision of a previous bill (Bill

C-31) which was tabled in 2000. The new bill is set to replace the old *Immigration Act*.

It is important to note that it takes effect **retroactively** on June 28th, meaning that cases which fell under the former legislation, will now be subject to what is legislated in the new law. Of course, what is legislated in Bill C-36 will have a huge impact on the regulations still to be announced for Bill C-11.

Bill C-11 is 'framework' legislation. What this means is that the executive aspects of the bill are not encoded in law, but rather are being **downloaded** onto regulations that grants a lot of power without much accountability to immigration officials. In many cases the bill removes the right of appeal in the face of refusal for sponsorship of family members, or deportation, even of those who have permanent resident status.

From the website of **the Canadian Council for Refugees**:



become permanent residents by operation of law. For the tiny minority who are not eligible, the government can move to take their permanent residence away."

"The bill reinforces measures of **interdiction**, which affect refugees trying to escape from persecution. Among the changes are increases in penalties for people who engage in people smuggling, even if they were motivated only by humanitarian concerns. Someone who helps family members flee persecution can be denied access to a refugee hearing or lose permanent residence, without access to an appeal. The CCR urges that interdiction measures be amended to reflect fully the obligation to protect refugees."

"The bill broadens **inadmissibility** provisions, including creating a new category for organized criminality, with dramatic impacts on people's rights, but without any requirement that the person actually have committed any crime. The already unfair security certificate process by which permanent residents can be stripped of status is made even more unfair. The CCR urges that security and criminality inadmissibility categories be limited to crimes actually committed or security risks (rather than barring people on the basis of association) and that persons affected be entitled to a fair process in which they can defend themselves."

For more information, please contact:

Francisco Rico-Martinez, President 416-469-9754
Alistair Boulton, Vice-President 604-662-7404
Janet Dench, Executive Director 514-277-7223

- **Check out the Canadian Council for Refugees website: <http://www.web.net/~ccr/>**
- **For more information on Bill C-36 and Bill C-11 go to the Canadian Bar Association's website: www.cba.org**

- **You can read the bill at the source, Citizenship and Immigration Canada: <http://www.cic.gc.ca/english/about/policy/imm-act.html>**

As Bill C-36 -- the Federal Government's anti-terrorist legislation -- heads towards the Senate, two new anti-terrorist bills are on their way through the House: The Public Safety Act and Bill C-35.

Bill C-42, or The Public Safety Act, would amend 19 acts of law, including the Criminal Code and the Immigration Act, and give the Minister of Defence the ability to designate any area in Canada a temporary military zone and forcefully remove anyone (and anything) in that zone; and, if wrongfully removed, the government would not be required to compensate individuals. The Act would also give Immigration officials the right to deny anyone access to Canada's refugee system if they are suspected of being a terrorist -- power only the Minister of Immigration currently has.

Bill C-35 would extend diplomatic immunity to any delegate who is in Canada for any meeting of any international organization, declaring them "protected persons." Furthermore, the Government's original anti-terrorism legislation, Bill C-36, defines any interference with "protected persons" that "is likely to endanger that person's life or liberty" as an act of terror and not simply a criminal one.

The government and its supporters say such restrictions are simply the price we have to pay for security post September 11th. Critics say that, taken collectively, these actions are a blueprint for crushing legitimate dissent. On Tuesday, counterSpin takes a look at the cumulative effect of Ottawa's anti-terrorist legislation. Does it go too far or not far enough? Will it make Canada safer? And what effect will it have on legitimate dissent?

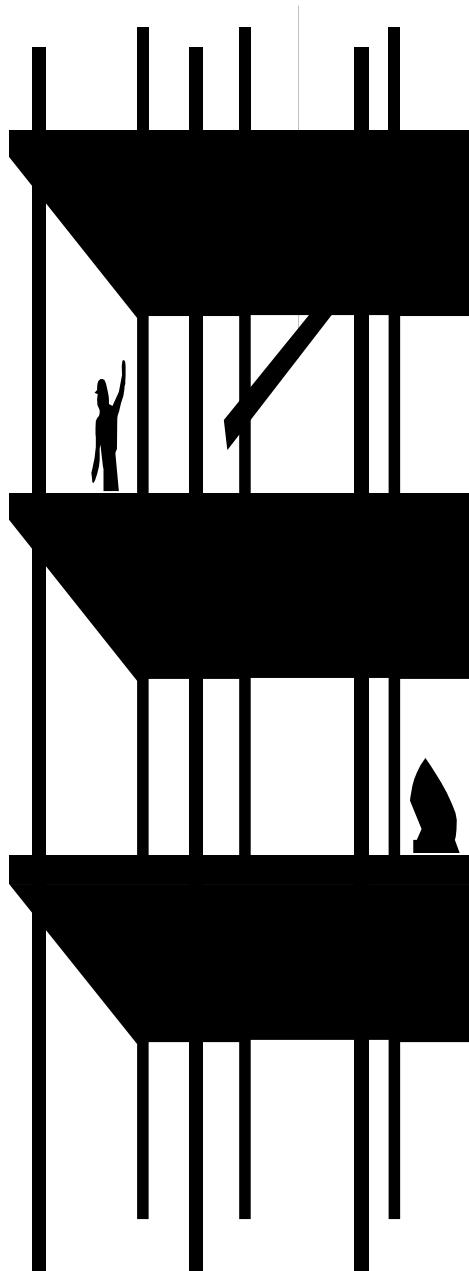
Government websites:

- **Bill C-35:**

http://www.parl.gc.ca/37/1/parlbus/chambus/house/bills/government/C-35/C-35_1/C-35TOCE.html

- **Bill C-42 (the Public Safety Act):**

http://www.parl.gc.ca/37/1/parlbus/chambus/house/bills/government/C-42/C-42_1/C-42TOCE.html



...more events

(cont. from pg. 3)

In Canada and Around the World Civil and Human Rights Are Under Attack

Bill C-36
Bill C-11
The Public Security Act
The Patriot Act
Bill C-24

What do we do?
Stand up, fight back!

Rally and march, Nathan Phillips Square Saturday, December 15th, 12:00 noon

Endorsements: September 11 Coalition, Toronto Mobilization for Global Justice,
Al Awda Canada, Glamorous Outcasts
Info or to endorse: defend_rights@hotmail.com



Afghanistan To Canada: The War & Terrorism Forum & teach-in

Sun Dec 9, 1-4pm, OISE (tentative location)
252 Bloor Street West
416-555-6605 or 416-978-8741 <http://scienceforpeace.sa.utoronto.ca>

Jewish Women's Committee to end the Occupation

Vigil outside the Israeli consulate
(Avenue & Bloor)
Every Friday 5-6pm
(please wear black)

International Human Rights Day, Monday Dec 10th Protest Human Rights Violations in Canada

Demonstration and vigil at the Toronto West Detention Centre, 111 Disco Rd. and the Celebrity Budget Inn, Airport Rd. just north of American Dr.

Since the September 11 tragedy, immigrants and refugee claimants are being held in punitive segregation in Toronto jails and are being denied their rights. Hearings are being held in jail cells instead of courtrooms, and family members have been denied access to the proceedings. A recent case saw a teenaged refugee claimant being held for 59 days with no evidence of any connection to terrorism. He was denied access to basic sanitation and medical care, and threatened that the guard will "break your head" if he continued to speak his own language. If this happened to one person, what else is going on at the Toronto West Detention Centre and other places, like the Celebrity budget Inn, where refugee claimants and immigrants are being held? Why won't the authorities tell the public who is being held, and why? Anti-racists must show we do not stand for this outrageous exploitation of the September 11 tragedy to inflict racist abuses on people. The public has a right to information about arrests and detentions in the name of public security.

Busses leave 12:30pm from downtown Toronto, returning at 2:30pm.

To reserve a space on the bus, or for more information call ARA at 416-631-8835. All contributions towards the bus are welcome. Press and media are encouraged to call in advance for a press packet.